**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1134 OF 2004**
**IN**
**NOTICE OF MOTION NO.1321 OF 2003 IN**
**IN**
**INCOME TAX APPEAL (LODG.) NO.369 OF 2003**

The Commissioner of Income tax ..Appellant.

V/s.

M/s.Wockhardt Life Sciences Ltd. ..Respondent.

Mr.B.M.Chatterjee for appellant.

Mr.S.J.Mehta with P.C.Tripathi and Dinesh Vyas for respondent.

**CORAM : H.L.GOKHALE AND**
**J.P.DEVADHAR, JJ.**

**DATED : 14TH NOVEMBER, 2006.**

**P.C. :-**

Heard Mr.Chatterjee in suport of the motion. Mr.Mehta appears for respondent. Motion seeks restoration of appeal which was dismissed for not filing detailed affidavit. Now the affidavit is filed. We grant this motion and appeal is restored and it be numbered.

Appeal is listed for admission on 27/11/2006.

**(H.L.GOKHALE, J.)**

**(J.P.DEVADHAR, J.)**